

“(B) the amendment made by section 619 of this Act [amending this section] during the period specified in such amendment.”

**RETROACTIVE PAYMENT OF HOSTILE FIRE OR IMMINENT DANGER PAY FOR SERVICE IN EASTERN MEDITERRANEAN SEA IN OPERATION IRAQI FREEDOM**

Pub. L. 108-136, div. A, title VI, § 620, Nov. 24, 2003, 117 Stat. 1504, provided that:

“(a) **PAYMENT AUTHORIZED.**—The Secretary of Defense may authorize the payment of hostile fire or imminent danger pay under section 310(a) of title 37, United States Code, to members of the Armed Forces who were assigned to duty, during the period beginning on March 19, 2003, and ending on April 11, 2003, in the area specified in subsection (b) in connection with Operation Iraqi Freedom at any time during that period.

“(b) **SPECIFIED AREA.**—The area referred to in subsection (a) is the Mediterranean Sea east of 30 degrees East Longitude (sea area only).”

**RATES OF PAY FOR FISCAL YEAR 2004**

Pub. L. 108-106, title I, § 1104, Nov. 6, 2003, 117 Stat. 1214, provided that: “From October 1, 2003, through September 30, 2004, (a) the rates of pay authorized by section 310(a) of title 37, United States Code, shall be \$225; and (b) the rates of pay authorized by section 427(a)(1) of title 37, United States Code, shall be \$250.”

**RETROACTIVE AUTHORIZATION FOR IMMINENT DANGER PAY FOR SERVICE IN CONNECTION WITH OPERATION ENDURING FREEDOM**

Pub. L. 107-107, div. A, title VI, § 624, Dec. 28, 2001, 115 Stat. 1143, provided that:

“(a) **RETROACTIVE AUTHORIZATION.**—The Secretary of Defense may provide for the payment of imminent danger pay under section 310 of title 37, United States Code, to members of the Armed Forces assigned to duty in the areas specified in subsection (b) in connection with the contingency operation known as Operation Enduring Freedom with respect to periods of duty served in those areas during the period beginning on September 19, 2001, and ending October 31, 2001.

“(b) **SPECIFIED AREAS.**—The areas referred to in subsection (a) are the following:

“(1) The land areas of Kyrgyzstan, Oman, the United Arab Emirates, and Uzbekistan.

“(2) The Red Sea, the Gulf of Aden, the Gulf of Oman, and the Arabian Sea (that portion north of 10° north latitude and west of 68° east longitude).”

**TEMPORARY INCREASE IN SPECIAL PAY IN CONNECTION WITH PERSIAN GULF CONFLICT**

Pub. L. 102-25, title III, § 301, Apr. 6, 1991, 105 Stat. 80, provided that:

“(a) **INCREASED RATE.**—In lieu of the rate of special pay specified in section 310(a) of title 37, United States Code, the rate of special pay payable under that section shall be \$150 for each month during the period described in subsection (b).

“(b) **PERIOD OF APPLICABILITY.**—Subsection (a) shall apply during the period beginning on August 1, 1990, and ending on the first day of the first month beginning on or after the date 180 days after the end of the Persian Gulf conflict.”

**IMMINENT DANGER PAY IN CONNECTION WITH OPERATION DESERT SHIELD**

Section 1111(a) of Pub. L. 101-510 provided that: “The Secretary of Defense may provide for the payment of imminent danger pay under section 310 of title 37, United States Code, to members of the Armed Forces assigned to duty in the Persian Gulf area in connection with Operation Desert Shield with respect to periods of duty served after August 1, 1990, and before the date of the enactment of this Act [Nov. 5, 1990].”

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 411a of this title; title 10 sections 701, 703, 1079, 1133; title 20 section

1087ee; title 24 section 412; title 26 section 112; title 36 section 230103; title 42 section 1382a.

**[§ 311. Repealed. Pub. L. 99-145, title VI, § 639(b), Nov. 8, 1985, 99 Stat. 651]**

Section, added Pub. L. 90-207, § 1(2)(A), Dec. 16, 1967, 81 Stat. 651; amended Pub. L. 90-603, § 1, Oct. 18, 1968, 82 Stat. 1187; Pub. L. 90-623, § 3(5), Oct. 22, 1968, 82 Stat. 1314; Pub. L. 93-274, § 1(3), May 6, 1974, 88 Stat. 95; Pub. L. 93-394, § 1, Aug. 29, 1974, 88 Stat. 792; Pub. L. 96-284, § 4(d)(1)-(3), June 28, 1980, 94 Stat. 591, 592; Pub. L. 96-513, title IV, § 414(b), title V, § 516(7), Dec. 12, 1980, 94 Stat. 2906, 2938, provided for continuation pay for dentists in the armed forces. See section 302b of this title.

**EFFECTIVE DATE OF REPEAL**

Repeal effective Oct. 1, 1985, see section 639(f) of Pub. L. 99-145, set out as an Effective Date of 1985 Amendment note under section 302b of this title.

**§ 312. Special pay: nuclear-qualified officers extending period of active service**

(a) Under regulations to be prescribed by the Secretary of the Navy, an officer of the naval service who—

(1) is entitled to basic pay;

(2) has the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants; and

(3) executes a written agreement to remain on active duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants for a period of three, four, or five years, so long as the new period of obligated active service does not extend beyond the end of 26 years of commissioned service, in addition to any other period of obligated active service,

may, upon the acceptance by the Secretary or his designee of the written agreement, in addition to all other compensation to which he is entitled, be paid a sum of money not to exceed \$25,000 for each year of the active-service agreement. The Secretary of the Navy shall determine annually the necessity for continuance of the special pay and the rate of special pay per year for such active-service agreements accepted within each 12-month period. Upon acceptance of the agreement by the Secretary or his designee, the total amount payable shall be paid in equal annual installments over the length of the contract, commencing at the expiration of any existing period of obligated active service. The Secretary (or his designee) may accept an active service agreement under this section not more than one year in advance of the end of an officer's existing period of obligated active service under such an agreement. In such a case, the amount of the special pay may be paid commencing with the date of acceptance of the agreement, with the number of installments being equal to the number of years covered by the contract plus one.

(b) Pursuant to regulations prescribed by the Secretary of the Navy and subject to such exceptions as may be prescribed in those regulations, refunds, on a pro rata basis, of sums paid pursuant to this section may be required if the officer having received the payment fails to complete